

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

WELLPATH HOLDINGS, INC., *et al.*,

Debtors.¹

Chapter 11

Case No. 24-90533 (ARP)

(Jointly Administered)

**STIPULATED STAY DETERMINATION PROCESS IN ACCORDANCE WITH
STIPULATED AND AGREED AMENDED ORDER REGARDING AUTOMATIC STAY
[DOCKET NO. 962] (THE “ORDER”)**

In accordance with the Order, the above-captioned debtors and debtors in possession (the “Debtors”) agree to implement the process outlined herein as of January 22, 2025, to allow plaintiffs in civil or criminal matters to seek a determination that the automatic stay does not apply to specific claims or causes of action without filing a motion for relief from stay or any other pleading (the “Stay Determination Process”). The Stay Determination Process is intended to resolve issues created by the breadth of the automatic stay entered into in this case, particularly the application of the automatic stay to claims or causes of action where there is no identity of interest with the Debtors’ or the Debtors’ Estate. Participation in the Stay Determination Process shall be without prejudice to Debtors’ or any plaintiff’s ability to pursue legal arguments in favor of or against application of the automatic stay to any claims or causes of action which are not resolved in the Stay Determination Process.

¹ A complete list of the Debtors (as defined below) in these chapter 11 cases may be obtained on the website of the Debtors’ claims and noticing agent at <https://dm.epiq11.com/Wellpath>. The Debtors’ service address for these chapter 11 cases is 3340 Perimeter Hill Drive, Nashville, Tennessee 37211.

The Stay Determination Process is hereby agreed and approved as follows:

1. A plaintiff who wants to pursue any claim or cause of action that appears to be subject to the automatic stay set forth in the Order (a “Requesting Plaintiff”) may submit a request to Debtors seeking to pursue the claim(s) or cause(s) of action.

2. A Requesting Plaintiff may submit their request in one or more of the following ways:

- i. via electronic mail, by sending such request to Debtors at the following email address:

WellpathStayRelief@mwe.com

- ii. via U.S. Mail, sent to the following address:

McDermott Will & Emery LLP
Attn: Wellpath Stay Determination
444 West Lake Street
Suite 4000
Chicago, Illinois 60606-0029

- iii. via telephone, by calling the following number and speaking with a representative of the Debtor or leaving a message and contact information:

888-884-6182

3. The Requesting Plaintiff should provide detailed information to the extent the information is accessible to the Requesting Plaintiff, such as names of defendants, the nature of the claims or causes of action at issue, the forum (*i.e.*, the court) in which the claims or causes of action were pending at the time of the Debtors’ bankruptcy filing, the approximate date the case was filed, and the case number.

4. When a Requesting Plaintiff makes a request, the Debtors will timely notify the Statutory Unsecured Claimholders’ Committee (the “Committee”) as to the request that was made and the information provided by a requesting plaintiff.

5. The Debtors shall evaluate each request, determine whether the Debtors contend that the claims or causes of action identified in the request are subject to the automatic stay, and provide an expedited response to the Requesting Plaintiff as follows:

- a. If the Debtors conclude that a claim or cause of action should not be subject to the automatic stay, Debtors will notify the Requesting Plaintiff and provide the Requesting Plaintiff with Debtors' written consent for the Requesting Plaintiff to move forward with the claim or cause of action. To the extent required by the court where the claim or cause of action is pending, the Debtors shall provide any additional information needed to assist the Requesting Plaintiff in moving forward by confirming the automatic stay does not apply to the claim or cause of action.
- b. If the Debtors contend that a claim or cause of action included in a request should be subject to the automatic stay, the Debtors will provide the Requesting Plaintiff with the basis for that conclusion, and the Requesting Plaintiff may seek relief from the automatic stay by filing a motion with the Court to the extent they have not already done so.

6. To the extent that a Requesting Plaintiff makes a written request to the Debtors, the Debtors shall provide the responses and notifications outlined in the preceding paragraph in writing to such Requesting Plaintiff and shall provide the Committee with copies of such written responses. To the extent the Debtors are unable to provide a Requesting Plaintiff with a written response (*e.g.*, if a Requesting Plaintiff has made a request via telephone and has not provided an address for communication via or electronic or U.S. mail), the Debtors shall provide any response

or notification verbally and shall provide the Committee with written documentation of such response or notification.

7. The Debtors shall serve a copy of this Stay Determination Process on all Notice Parties, and will consult with the Committee as to any supplemental noticing that may be appropriate.

8. To the extent any Requesting Plaintiff has already submitted an informal request by email to Debtors' counsel of record seeking a determination as whether Debtors' contend the automatic stay applies to claims or causes of action, such Requesting Plaintiff may, but is not required to, submit a request as described herein, and the Debtors shall respond to any such request received prior to the filing of this Stay Determination Process consistent with the process outlined herein.

Dated: _____, 2025
Houston, Texas

UNITED STATES BANKRUPTCY JUDGE